UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/560,346	07/25/2006	Leonard Rexberg	2380-1463	6407
23117 NIXON & VAN	7590 08/04/201 NDERHYE, PC	EXAMINER		
	LEBE ROAD, 11TH F	GHULAMALI, QUTBUDDIN		
ARLINGTON,	VA 22203		ART UNIT	PAPER NUMBER
			2611	
			MAIL DATE	DELIVERY MODE
			08/04/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

		Application No.	Applicant(s)					
Office Action Summary		10/560,346	REXBERG, LEON	REXBERG, LEONARD				
		Examiner	Art Unit					
		Qutbuddin Ghulamali	2611					
The MAILIN Period for Reply	The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply							
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).								
Status								
1) Responsive	to communication(s) filed on <u>20 Ju</u>	ly 2010						
· <u> </u>	· · · · <u> </u>							
<u>′</u>	, <del></del>							
	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
ciosed in acc	bordance with the practice under L	x parte Quayre, 1900 O.	D. 11, 400 O.O. 210.					
Disposition of Claims	•							
4)⊠ Claim(s) <i>1-1</i>	Claim(s) <u>1-14</u> is/are pending in the application.							
	4a) Of the above claim(s) is/are withdrawn from consideration.							
5) <u></u> Claim(s)								
·	6) Claim(s) is/are rejected.							
· · · · · · · · · · · · · · · · · · ·	<u> </u>							
· <u> </u>	are subject to restriction and/or	election requirement						
		oloollon roquirollioni.						
Application Papers								
9)☐ The specifica	tion is objected to by the Examine	r.						
10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.								
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).								
				FR 1.121(d).				
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.								
Priority under 35 U.S	.C. § 119							
<ul> <li>12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No.</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> </ul>								
* See the attached detailed Office action for a list of the certified copies not received.								
	n's Patent Drawing Review (PTO-948) e Statement(s) (PTO/SB/08)	Paper No	v Summary (PTO-413) o(s)/Mail Date f Informal Patent Application 					

Application/Control Number: 10/560,346 Page 2

Art Unit: 2611

### **DETAILED ACTION**

### Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/20/2010 has been entered.

## Response to Remarks/Amendment

2. Applicant's remarks/amendment, see page 7-11, filed 7/20/2010, with respect to 1-14 have been fully considered and as a result claims 1-14 are now indicated as allowable. However, upon further review and consideration claims 1, 6, 8, are objected. The objection follows.

# Claim Objections

3. Claims 1, 6 and 8 are objected to because of the following informalities:
Claim 1, line 4, replace "each filter tap" with -- the each filter tap --.
Claims 1, line 10, replace "the second look-up table" with -- a second look-up table --.

Claim 6, line 3, replace "each look-up table" to -- each of the individual look-up table --.

Claim 8, line 1, replace "said trainer includes:" with – said pre-distorter trainer further includes: --.

Appropriate correction is required.

### Conclusion

4. This application is in condition for allowance except for the following formal matters: Related to claim objections noted above.

Prosecution on the merits is closed in accordance with the practice under *Ex* parte Quayle, 25 USPQ 74, 453 O.G. 213, (Comm'r Pat. 1935).

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Qutbuddin Ghulamali whose telephone number is (571)-272-3014. The examiner can normally be reached on Monday-Friday, 7:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chieh M. Fan can be reached on (571) 272-3042. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number: 10/560,346 Page 4

Art Unit: 2611

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

QG. July 31, 2010.

/CHIEH M FAN/ Supervisory Patent Examiner, Art Unit 2611